

UNITED STATES DISTRICT COURT

for the

Southern District of Mississippi

RETURN

LIBERTARIAN PARTY OF MISSISSIPPI

Plaintiff(s)

v.

JUSTIN WETZEL, TONI JO DIAZ, BECKY PAYNE,  
BARBARA KIMBALL, CHRISTENE BRICE,  
CAROLYN HANDLER, and MICHAEL WATSON

Defendant(s)

Civil Action No. 1:24cv37 TAM-RPM

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Toni Jo Diaz,  
in her official capacity as a member of the Harrison County Election Commission,  
1801 23rd Avenue  
Gulfport, MS 39501

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

T. Russell Nobile  
Judicial Watch, Inc.  
P.O. Box. 6592  
Gulfport, MS 39503  
(202) 527-9866

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

ARTHUR JOHNSTON

CLERK OF COURT

*[Signature]*

Signature of Clerk or Deputy Clerk

Date: 2-5-24



Civil Action No. 1:24cv37 TBM-RPM

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* TONI JO DIAZ  
was received by me on *(date)* 02/05/2024 .

☒ I personally served the summons on the individual at *(place)* HARRISION COUNTY ANNEX BUILDING  
9229 HWY 49 GULFPORT, MS 39503 on *(date)* 02/08/2024 ; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

☐ I returned the summons unexecuted because \_\_\_\_\_ ; or

☐ Other *(specify)*:

My fees are \$ 45.00 for travel and \$ 0.00 for services, for a total of \$ 45.00 .

I declare under penalty of perjury that this information is true.

Date: 02/08/2024

  
\_\_\_\_\_  
*Server's signature*

Carl J. Gangemi Process Server  
*Printed name and title*

449 Courthouse drive  
Gulfport, MS 39507  
*Server's address*

Additional information regarding attempted service, etc: